



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

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RCRA Compliance Section

Reply To
Attn Of: ORC-158

March 4, 1998

VIA TELEFAX & FIRST CLASS MAIL

Richard Torrito
Legal Services
Rhone-Poulenc, Inc.
One Corporate Drive
Box 881
Shelton, Connecticut 06484

Re: Rhone-Poulenc, Inc. Administrative Order on Consent for Corrective Action ("Order")
Docket No. 1091-11-20-3008(h)

Dear Mr. Torrito:

This letter is in response to your letter dated February 10, 1998, relating to the facility at 9229 Marginal Way South, Tukwila, Washington. Your letter advised the U.S. Environmental Protection Agency, Region 10 ("EPA") of the corporate reorganization which recently occurred and resulted in the transfer of the Marginal Way facility to Rhodia, Inc.

First, the above-referenced Order requires Rhone-Poulenc to notify EPA of any transfer of interest in the facility thirty (30) days prior to any such transfer. Order ¶2.4. Admittedly, EPA had received some oral communication that a transfer of some sort was anticipated, but your letter is the first formal notification of this transfer.

Moreover, Rhone-Poulenc should note that in accordance with the Order, Rhone-Poulenc remains liable for the activities at the facility, as do successors and assigns. Order ¶2.2. Therefore, it is imperative that Rhone-Poulenc continue to ensure that the activities required by the Order and undertaken at the facility are in compliance with the Order.

If you have any questions, please contact me at (206) 553-8311.

Sincerely,

Jennifer G. MacDonald
Jennifer G. MacDonald
Assistant Regional Counsel